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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/787,308	03/14/2001	Niina Laaksonen	4925-105PUS	8211

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EXAMINER	
KHUONG, LEE T	

ART UNIT	PAPER NUMBER
2665	

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/787,308	LAAKSONEN, NIINA	
	Examiner	Art Unit	
	Lee Khuong	2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 March 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *3/14/2001*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Acampora et al (US 5,497,504) hereinafter referred as Acampora.

Regarding claims 1 and 8, Acampora teaches a System and Method For Connection Control In Mobile Communications. The system comprises controllable connections (*controllable load components*) see col. 5 lines 29-42. The system also comprises real-time class I or type A connections (*non-controllable traffic load components*), see col. 5 lines 38-39 and col. 6 lines 41-56,

- *testing a bearer request* (a call request connection from a mobile user within a cell-cluster 45 Fig. 1 is tested) *is tested with a test of a first kind* (the 1st kind of test according to Acampora is shown in step 509 Fig. 5 in which the system limits a current number of connections class I exist within a cell) *that sets criteria for non-controllable traffic load components* (the 1st kind of test sets standard for the class I or type A connection request) *in an essentially similar way for all bearer requests* (col. 7, lines 42-62, in Acampora all real time traffic connections using the class I or type A standard Fig. 5), *and*

- *said bearer request* (the type A connection request) *is tested with a test of a second kind* (a 2nd kind of test is a test in which a local policy of sharing bandwidth is employed, see step 515 Fig. 5) *wherein said test of second kind monitors bearers that present to the network a non-controllable load component which exceeds a predefined threshold* (the local bandwidth policy is used to monitor a real-time connection that whether the sharing bandwidth of the connection is satisfied or not, see col. 7, lines 63-67, col. 8, lines 1-3), *and the admission of said bearer request depends on the results of both said test of a first kind and said test of a second kind* (the requested connection is granted after the local bandwidth sharing policy of cell-cluster 45 is satisfied, see col. 7, lines 3-9).

Regarding claim 2, Acampora teaches the limited number connections of class I tested based on the history of the call traffic of Fig. 3, see col. 6, lines 41-67 and col. 7, lines 1-15 (*said test of a first kind is based on statistical properties of bearers*).

Regarding claim 3, Acampora teaches the 2nd kind of test in which the current type A connections is compared and satisfied with the local policy of sharing bandwidth, see col. 7 lines 5-12, 60-67 and col. 8 lines 1-3 (*said test of a second kind the number of currently existing high load bearers*).

Regarding claim 4, Acampora teaches the sum of bandwidth of type A connections and the requesting type A connections is compared and satisfied with the local policy of sharing

bandwidth, see col. 7 lines 5-12 (*said test of a second kind the sum of bit rates of currently existing high load bearers and of the requested bearer is compared to a predefined threshold*).

Regarding claim 5, Acampora teaches the admission criteria of the 1st test are changed according to the rejection of the 2nd test. In Acampora, if the local bandwidth sharing (test of second kind) is rejected namely a result, then the allowable number of type A connections are updated (*criteria of said test of first kind are changed*) to meet the bandwidth condition that bases on the rejection by using the history of the call traffic, see col. 6 lines 55-67 and col. 7 lines 1-5.

Regarding claim 6, Acampora teaches the respective bandwidth of class I (*admission threshold*) is changed if a bandwidth of class II exceeded its respective bandwidth, see col. 7 lines 5-10.

Regarding claim 7, Acampora teaches the respective bandwidth of class I (*admission* threshold) is changed if a bandwidth of class III exceeded its respective bandwidth, see col. 7 lines 5-10.

Regarding claim 9, Acampora discloses *the network element is a radio network controller* (cell-cluster radio controller 29, Fig. 1, col. 3, lines 38-46, the cell-cluster controller grants or rejects a call request).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Khan et al (US 6,400,954); Hall (US 5,991,618); Dupont et al (US 5,974,106); Labonte et al (US 5,828,672) are cited to show a system and method of Admission Control, which is considered pertinent to the claimed invention.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lee Khuong whose telephone number is 571-272-3157. The examiner can normally be reached on 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the ~~Electronic~~ Business Center (EBC) at 866-217-9197 (toll-free).

Lee T. Khuong
Examiner
Art Unit 2665

DUC HO
PRIMARY EXAMINER

11-24-04